



SUSANA MARTINEZ  
Governor

JOHN A. SANCHEZ  
Lt. Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

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BUTCH TONGATE  
Cabinet Secretary

J. C. BORREGO  
Deputy Secretary

**Certified Mail – Return Receipt Requested**

September 19, 2017

The Honorable Mayor Charles Griego  
Post Office Box 1209  
Village of Los Lunas  
Los Lunas, NM 87031

**Re: Village of Los Lunas WWTP; UNPERMITTED DISCHARGE; SIC4952; NPDES  
Compliance Evaluation Inspection; NPDES NMU001943; August 22, 2017**

Dear Mayor Griego:

Enclosed please find a copy of the report for the referenced inspection that the New Mexico Environment Department (NMED) conducted at your facility on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

You are encouraged to review the inspection report, required to correct any problems noted during the inspection, and advised to modify your operational and/or administrative procedures, as appropriate. If you have comments on or concerns with the basis for the findings in the NMED inspection report, please contact us (see the address below) in writing within 30 days from the date of this letter. Further, you are encouraged to notify in writing both the USEPA and NMED regarding modifications and compliance schedules at the addresses below:

Robert Houston  
US Environmental Protection Agency, Region VI  
Enforcement Branch (6EN-WS)  
1445 Ross Avenue  
Dallas, Texas 75202-2733

Program Manager  
New Mexico Environment Department  
Surface Water Quality Bureau (N2050)  
Point Source Regulation Section  
P.O. Box 5469  
Santa Fe, New Mexico 87502

**September 19, 2017**

**Page 2 of 2**

If you have any questions about this inspection report, please contact Jennifer Foote at (505)827-0596 or at Jennifer.Foote@state.nm.us.

Sincerely,

*/s/ Sarah Holcomb*

Sarah Holcomb  
Program Manager  
Point Source Regulation Section  
Surface Water Quality Bureau

cc: Carol Peters-Wagnon, USEPA (6EN-WM) by e-mail  
David Long, USEPA (6EN-WM) by e-mail  
Robert Houston, USEPA (6EN) by e-mail  
Darlene Whitten-Hill, USEPA (6EN) by e-mail  
Nancy Williams, USEPA (6EN-WC) by e-mail  
Michael Kesler, NMED District III by e-mail  
Amy Andrews, USEPA (6EN-WM) by e-mail  
David Esparza, USEPA (6EN-WM) by e-mail  
Craig Byers, City of Los Lunas, by email



Form Approved  
OMB No. 2040-0003  
Approval Expires 7-31-85

## NPDES Compliance Inspection Report

### Section A: National Data System Coding

Transaction Code	NPDES	yr/mo/day	Inspec. Type	Inspector	Fac Type
1 N 2 5 3 N M U 0 0 1 9 4 3 11 12 1 7 0 8 2 2 17 18 ~ 19 S 20 2					
Remarks					
S E C T O R T T R E A T M E N T W O R K S					
Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved	
67 69	70 2	71 N 72 N 73 74 75 80			

### Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number) Village of Los Lunas WWTP - 1960 Heaton Loop; Los Lunas, NM 87031	Entry Time /Date 8/22/17 9:30 am	Permit Effective Date 6-4-2015
I-25 South, take Los Lunas exit. Left onto Main St., Right onto Carson Drive, Left at Castillo, Right on Heaton Loop Valencia County	Exit Time/Date 8/22/17 1:30pm	Permit Expiration Date 6-4-2020
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Ruben Moreno/WWTP Assistant Plant Operator/505-866-2114 Craig Byers/WWTP Supervisor/505-352-7675	Other Facility Data	
Name, Address of Responsible Official/Title/Phone and Fax Number The Honorable Mayor Charles Griego Post Office Box 1209 Los Lunas, NM 87031 Phone. (505) 839-3840	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Outfall 34°46'49.48"N 106°43'50.17"W  SIC 4952

### Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

U	Permit	N	Flow Measurement	N	Operations & Maintenance	N	CSO/SSO
N	Records/Reports	N	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
N	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	M	Storm Water	N	Other:

### Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

See attached sheets for further details.

Name(s) and Signature(s) of Inspector(s) Jennifer Foote /s/ Jennifer Foote	Agency/Office/Telephone/Fax NMED/SWQB 505-827-0596	Date 9/19/17
Signature of Management QA Reviewer Sarah Holcomb, Program Manager /s/ Sarah Holcomb	Agency/Office/Phone and Fax Numbers NMED/SWQB 505-827-2798	Date 9/19/17

**Village of Los Lunas WWTP  
Compliance Evaluation Inspection  
NPDES Permit No. NMU001943  
August 22, 2017  
Further Explanations**

**Introduction**

On August 22, 2017, a Compliance Evaluation Inspection (CEI) was conducted by Jennifer Foote of the State of New Mexico Environment Department (NMED), Surface Water Quality Bureau (SWQB), accompanied by David Esparza and Amy Andrews, both of the EPA, at the Village of Los Lunas WWTP. The purpose of this inspection was to document the facility's status regarding the National Pollutant Discharge Elimination System (NPDES) permit requirements for stormwater discharges associated with industrial activity under 40 Code of Federal Regulations (CFR) 122.26 and U.S. Environmental Protection Agency (USEPA) industrial stormwater Multi-Sector General Permit (MSGP). The inspection was conducted concurrently while the EPA conducted a CEI at the facility for the individual permit NM0020303.

Los Lunas WWTP is classified as a wastewater treatment facility (see Standard Industrial Classification [SIC] code 4952) that meets the description in Category 40 CFR 122.26 (b)(14)(vi), and Sector T of the MSGP. Stormwater discharges may discharge into the Rio Grande River, Rio Grande Basin, in Segment 20.6.4.105 (NMAC State of New Mexico Standards for Interstate and Intrastate Surface Waters). Designated uses of segment 20.6.4.105 are irrigation, marginal warmwater aquatic life, livestock watering, public water supply, wildlife habitat and primary contact.

The NMED performs a certain number of inspections for the U.S. Environmental Protection Agency (USEPA), Region VI, under the NPDES permit program, in accordance with the federal Clean Water Act. USEPA uses these inspections to determine compliance with the NPDES permit program. This inspection report is based on information provided by the permittee's representatives, observations made by NMED staff, and records and reports kept by the permittee and/or NMED.

**Inspection Details:**

After arrival at approximately 9:30am on the day of the inspection, Inspectors Jennifer Foote, David Esparza, and Amy Andrews made introductions, David Esparza presented credentials to Mr. Craig Byers and Mr. Ruben Moreno and discussed the purpose of the inspection. The inspectors, Mr. Byers, and Mr. Moreno toured the facility and reviewed documents. Following the tour, an exit interview was conducted on site with Mr. Byers, and Mr. Moreno. The inspectors left the facility at approximately 1:30 pm on the day of this inspection.

**Federal Clean Water Act (CWA) and Industrial Stormwater Permit Requirements**

Section 301 (a) of the Federal Water Pollution Control Act states that *"Except as in compliance with this section and sections 302, 306, 307, 318, 402 and 404 of this Act, the discharge of any pollutant by any person shall be unlawful."* Federal regulations in 40 CFR Part 122.21(a) Duty to apply (1) states: *"Any person who discharges or proposes to discharge pollutants...must submit a complete application to the Director in accordance with this section and part 124 of this chapter."*

Eleven (11) categories of stormwater discharges associated with industrial activity are identified in 40 CFR 122.26(b)(14)(i)-(xi) that require coverage under an NPDES permit. Industrial stormwater has been regulated since the promulgation of USEPA's 1990 stormwater regulations, which established NPDES permit requirements for "stormwater discharges associated with industrial activity." USEPA's first MSGP for stormwater discharges associated with industrial activity was published on September 29, 1995 (Federal Register Volume 60, No. 189 on Friday 29, 1995, page 50953), and has since been reissued in 2000, 2008 and the current USEPA 2015 MSGP was re-issued effective June 4, 2015 (Federal Register/Vol. 80, No. 115/Tuesday, June 16, 2015 pg. 34403).

To obtain permit coverage under the MSGP, an operator must complete, or update, a Stormwater Pollution Prevention Plan (SWPPP) that documents eligibility for permit coverage, and submit a notice of intent (NOI) to the USEPA. Among other things, requirements in the MSGP include site-specific best management practices (BMPs), maintenance plans, inspections, employee training and annual reporting. BMPs include good housekeeping practices, minimizing exposure, erosion and sediment control, and management of runoff. The MSGP also requires visual, and, for some sectors, analytical monitoring to determine the effectiveness of implemented BMPs.

A website with information on the USEPA MSGP, including SWPPP templates, and how to obtain coverage is available at: <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>.

## Findings

1. The facility performed upgrades in 2013 that increased its treatment capacity from 0.9 MGD to 2.7 MGD and qualified it for coverage under MSGP Sector T. The facility did not have NPDES stormwater permit coverage on the date of this inspection, and a SWPPP was not available. This is a repeat finding from the March 5, 2015 inspection. **The Facility responded on 9/18/17 that they would apply for coverage sometime after when the future MS4 permit is issued and they complete that documentation (see attachment 1).**
2. It appears the facility has been designed to drain to four retention ponds. The facility stated that one pond had been removed near the blender box, but they weren't sure if the pipe connecting it to the central pond was removed or still in place. **The Facility responded on 9/18/17 that they were evaluating capping the pipe (see attachment 1).**
3. Waste oil storage was in metal containers sitting directly on the soil. There was staining on the soil adjacent to the bins and a hole in one of the containments. **The Facility responded on 9/18/17 that they were in the process of replacing the used oil storage (see attachment 1).**
4. Water from ice machine condensate was discharging directly to the ground. This is not an allowable non-stormwater discharge under the permit. **The Facility responded on 9/18/17 that they had corrected this issue(see attachment 1).**

NMED/SWQB Official Photograph Log Photo # 1		
Photographer: Jennifer Foote	Date: 8/22/17	Time: 10:33
City/County: Los Lunas/Valencia County		State: New Mexico
Location: Los Lunas WWTF		
Subject: pipe from ice machine discharging to ground outside building		



NMED/SWQB Official Photograph Log Photo # 2 +3		
Photographer: Jennifer Foote	Date: 8/22/17	Time: 11:23 and 11:26
City/County: Los Lunas/Valencia County		State: New Mexico
Location: Los Lunas WWTF		
Subject: Leak at waste oil containment		





NMED/SWQB  
Official Photograph Log  
Photo # 4

Photographer: Jennifer Foote

Date: 8/22/17

Time: 11:37

City/County: Los Lunas/Valencia County

State: New Mexico

Location: Los Lunas WWTF

Subject: retention ponds



NMED/SWQB  
Official Photograph Log  
Photo # 5

Photographer: Jennifer Foote

Date: 8/22/17

Time: 11:38

City/County: Los Lunas/Valencia County

State: New Mexico

Location: Los Lunas WWTF

Subject: retention ponds



**Attachment 1**

**Facility Response to Inspection**





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September 18, 2017

David Esparza      EPA Water Enforcement Division  
Amy Andrews      EPA Water Enforcement Branch  
Jennifer Foote      NMED Industrial and Stormwater Team

Craig Byers  
WWTP Plant Supervisor

As per your inspection of our Facility on August 22, 2017. You highlighted a few items that needed immediate attention.

- Storm Water Pollution Prevention Plan/Multi Sector General Permit Storm Water
  - The Village of Los Lunas is working on our MS4 permit and as part of that process we are gathering the information for several of our sites within the village limits. The wastewater treatment plant is included in that planning process. Once we have that plan done we will submit the application for the Multi Sector General Permit for storm water.
- Spill Prevention Counter Measure & Control (Fuel Tank and Waste Oil Capacities)
  - When I was ask about the capacity of our fuel tanks I did not know that generators were exempt from this equation. We have one (1) 500 gallon above ground storage tank. This tank is double walled.
  - Our used oil storage tank is a little outdated and we are in the process of updating that storage system. I have ordered two (2) new double walled poly tanks, 150 gallon used oil tank and a 50 gallon used antifreeze tank. We will have the oil pumped out of the existing barrels, the dumpsters that house the barrels will be sent back to our Solid Waste Department to repair and seal them, so that there is no chance of leaking. We will bring back one dumpster to house the new

CHARLES GRIEGO  
MAYOR

GINO ROMERO  
COUNCILMAN

PAULETTE SANCHEZ-MONTOYA  
COUNCILWOMAN

GERARD SAIZ  
COUNCILMAN

CHRISTOPHER S. ORTIZ  
COUNCILMAN

GREGORY D. MARTIN  
VILLAGE ADMINISTRATOR



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PUBLIC WORKS DEPARTMENT

tanks. The refurbished dumpster will be painted and stenciled with USED OIL & WASTE FLUIDS.

- Ice Machine Drain Line
  - We have disconnected and relocated the line to drain into the collection system.
- Pipe Connection Between the two (2) Drain Ponds
  - We are evaluating to determine whether or not the pipe was capped on the side before it was buried, but we will also look into capping the exposed side of the pipe in the very near future.
- ISCO Open Channel Flow Measurement Handbook
  - We ordered and now have the Teledyne Isco Open Channel Flow Measurement Hand Book 8<sup>th</sup> Edition.
  - We also had James Kircher with Yukon & Associates do our annual calibration of our flow meters. All influent effluent and combined effluent meters had less than 1% error, and the Return Flow meter had less than 2% error.
  - We will add the monthly check of the Combined Effluent flow meter against the Staff Gauge to check for accuracy of the meter.
- July 2018 DMR's
  - We have worked with Helen Nguyen and fixed the issue with one of our signatory accounts and the July 2017 DMR's have been sign and submitted.

If you have any concerns with the above list items please feel free to contact me at (505)352-7675 or email at [byersc@loslunasnm.gov](mailto:byersc@loslunasnm.gov).

Sincerely,

Craig Byers  
WWTP Plant Supervisor  
505-352-7675

CHARLES GRIEGO  
MAYOR

GINO ROMERO  
COUNCILMAN

PAULETTE SANCHEZ-MONTOYA  
COUNCILWOMAN

GERARD SAIZ  
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